

August 5, 2002
Regular Meeting

Minutes

Members Present: 5
Thomas Y. Wooten-Chairman
Lloyd Davis- Vice-Chairman
Josh Baity - Commissioner
Brent Hunter- Commissioner
Johnny Myers- Commissioner

Members Absent: 0

Others Present:
Cecil E. Wood, County Manager/Clerk to the Board
James Graham, Attorney
Melinda Vestal, Assistant Clerk to the Board

Chairman Wooten called the meeting to order. Attorney Graham led the invocation. The Board had the pledge of allegiance.

Public comment

Allen Sneed requested to speak when the Board discusses the GO Bonds.

Chairman Wooten stated he would recognize Mr. Sneed at that time.

Minutes

*Commissioner Baity made the motion to approve the minutes with changes. Commissioner Hunter seconded. **The Board voted 5-0.**

Schools-Forbush High School

The Board presented certificates of accomplishment to the Forbush High School girl's softball team on winning the state softball championship.

Animal Control-personnel

Eddie King thanked the Board for the opportunity to work for the county. He will be leaving to take another job.

The Board thanked Eddie for a job well done and wished him good luck in his new job.

Economic Development-update/report

Mr. Bobby Todd gave an update on economic development in the county.

Mr. Todd requested the Board approve the Strategic Action Plan draft.

The Board discussed the plan.

Commissioner Myers requested the Board wait to approve the plan.

*Commissioner Myers made the motion to table this issue until the September 3rd meeting. Commissioner Davis seconded. **The Board voted 5-0.**

Social Services-personnel

*Commissioner Myers made the motion to approve a part-time Spanish interpreter, Grade 60-4. Commissioner Davis seconded. **The Board voted 5-0.**

Fire Marshal-fireworks and Arlington Fire Department

A request to revise the Arlington Fire & Rescue, Inc. boundaries is being submitted for the Board's approval. This revision is due to the merger of the Town of Arlington with the Town of Jonesville.

A fireworks permit for Relay for Life has been submitted for the Board's approval.

*Commissioner Baity made the motion to approve the above requests. Commissioner Hunter seconded. **The Board voted 5-0.**

5-D Project-property acquisition

*Commissioner Myers made the motion to purchase 16.016 acres from Scott Branon at a price of \$56,056. Commissioner Davis seconded. **The Board voted 4-1. Commissioner Baity opposed.**

Commissioner Baity voted against the purchase because it is not in the normal pool area.

NCACC-voting delegate

*Commissioner Baity nominated Chairman Wooten to serve as the voting delegate at the State Convention. Commissioner Davis seconded. **The Board voted 5-0.**

Resolution-Litter Sweep

*Commissioner Baity made the motion to approve the resolution supporting the North Carolina Litter Sweep. Commissioner Hunter seconded. **The Board voted 5-0.**

DOT-road petition-Deerfield Lane

*Commissioner Baity made the motion to approve the road petition for Deerfield Lane. Commissioner Myers seconded. **The Board voted 5-0.**

Resolution -GO Bonds

Allen Sneed addressed the Board concerning the tax increase and suggested there would be higher salaries for the top administrators when the school system implements middle schools.

The Board discussed the tax increase which would cover the expense of the bonds. The Board discussed the wording of the resolution as presented by the Bond Attorney.

*Commissioner Hunter made the motion to approve the resolution for the GO Bonds. Commissioner Myers seconded. **The Board voted 4-1. Commissioner Davis opposed.**

**Resolution Stating Intent To Proceed with a Referendum
For Yadkin County General Obligation School Bonds**

WHEREAS:

The Board of Commissioners of Yadkin County, North Carolina, has considered the need for capital improvements to for public schools in the County. The Board has received a request from the Yadkin County School Board to proceed with a referendum on the issuance of County general obligation bonds to provide funds for construction and improvement of school facilities.

BE IT RESOLVED by the Yadkin County Board of Commissioners, as follows:

1. The Board makes an initial determination to proceed with a referendum for County general obligation school bonds in the amount of \$20,000,000. The Board directs the County Manger to proceed with the proper steps toward the authorization of the referendum, including proceeding with an application to the North Carolina Local Government Commission for its approval of such bonds.

2. The Board makes the following findings of fact in support of its actions:

- (a) The County has engaged in a substantial process of discussion with the County school board, and in the review of the School Board's analysis of school facility needs. Based on this review and the School Board's analysis, the County determines that the proposed school improvements are necessary and expedient for the County.
- (b) The Board has reviewed closely the County's school facilities needs in consultation with the County School Board. Based on this review and the School Board's analysis, the County determines that the amount of bonds proposed is adequate and not excessive for the proposed purpose.
- (c) The County's debt management and budgetary and fiscal management policies have been carried out consistently in accordance with the law.
- (d) The Board expects that such increase in the County's property tax rate as may be necessary to provide for principal and interest payments on the bonds will be reasonable and appropriate under all the circumstances.

3. The Board approves the actions of County staff in publishing a notice of the Board's intent to apply to the North Carolina Local Government Commission for approval of County school bonds. The Board appoints the County Manager as the County's authorized representative with respect to the LGC application process. The Board appoints The Sanford Holshouser Law Firm, PLLC, as the County's bond counsel with respect to the proposed school bond referendum, and directs the County Attorney to negotiate the terms of bond counsel's engagement.

4. All County officers and employees are authorized and directed to take all such further action as they may consider necessary or desirable in furtherance of the purposes of this resolution. All such prior actions of County officers and employees are ratified, approved and confirmed. All other Board proceedings (or parts thereof) in conflict with this resolution are repealed, to the extent of the conflict. This resolution takes effect immediately.

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I certify that the foregoing resolution was duly adopted at a meeting of the Board of Commissioners of Yadkin County, North Carolina, duly called and held on August 5, 2002, and that a quorum was present and acting throughout such meeting. Such resolution remains in full effect as of today.

Dated this ____ day of August, 2002.

[SEAL]

Cecil Wood
Clerk, Board of Commissioners
Yadkin County, North Carolina

Commissioner Comments

**Yadkin County Board of Commissioners
Resolution in Support of the Pledge of Allegiance**

WHEREAS, the United States Court of Appeals for the Ninth Circuit ruled that our Pledge of Allegiance is unconstitutional because it includes the phrase “under God”; and

WHEREAS, we believe that the United States Court of Appeals for the Ninth Circuit was completely wrong in its ruling; and

WHEREAS, as Americans, we are proud of our Pledge of Allegiance, proud of the spiritual heritage of this country and proud of our religious freedom; and

WHEREAS, we will not stand by and allow our religious liberties to be squandered by judges who want to legislate from the bench; and

WHEREAS, this is just another attempt to remove any mention of God from the public arena; and

WHEREAS, now more than ever our nation needs to stand united under God and now more than ever, we must join hands in fighting for our rights and religious freedom; and

WHEREAS, the United States Congress and the North Carolina State Legislature have unanimously declared that the Pledge of Allegiance with the phrase “under God” is constitutional and desirable;

NOW, THEREFORE, BE IT RESOLVED, that the Yadkin County Board of Commissioners , without reservation , supports the overturning of this decision.

BE IT ALSO RESOLVED, that we encourage the Superintendent of Schools continue to provide Yadkin County’s young people the opportunity to express their respect for our traditions particularly reciting the Pledge of Allegiance with the phrase”under God” included.

BE IT ALSO RESOLVED, that we ask all members of the U.S. Congress and all members of the North Carolina State Legislature to take all necessary action to defend the Pledge and the constitutional phrase “under God”.

BE IT FURTHER RESOLVED, that a copy of this resolution be sent to each U.S. Representative and Senator from the great State of North Carolina, to each North Carolina State Senator and Representative , to each of the ninety-nine County Commissions in North Carolina , to NACO and NCACC.

*Commissioner Davis made the motion to approve the resolution. Commissioner Baity seconded. **The Board voted 5-0.**

Commissioner Hunter presented a check from the Center for Consumer Freedom in the amount of \$15,000 to help build the animal shelter. The Center had one stipulation on the check; no money be accepted from PETA.

*Commissioner Davis made the motion to accept the check with the stipulation that no money be accepted from PETA. Commissioner Hunter seconded.

The Board discussed the stipulation and the status of funds collected thus far for the animal shelter.

Motion and second was withdrawn. The Board agreed to table this until the next meeting.

Commissioner Baity inquired about the I-77/421 sewer project with DOT.

*Commissioner Baity made the motion to send a letter to Representative Holmes to request funds from DOT to assist with the sewer project on I-77/Hwy 421. Commissioner Myers seconded. **The Board voted 5-0.**

Commissioner Baity inquired about the next water meeting with the towns.

Commissioner Baity requested a list of the outstanding tax bills for the last ten years.

Manager comments

Mr. Wood informed the Board that the three schools who qualified for the QZABs will be transferred to the county for collateral purposes.

*Commissioner Davis made the motion to apply for 50% reimbursement on the Scott Branon property purchased for 5-D. Commissioner Myers seconded. **The Board voted 4-1.**
Commissioner Baity opposed.

Commissioner Baity commented that no matter where the money comes from, it is still taxpayer's money.

*Commissioner Myers made the motion to adjourn. Motion was withdrawn.

Chairman Wooten discussed the Share Home in the Jonesville area. The Board will need to determine if it wishes to lease the home to Crossroads who will sub-lease to an operator or contract directly with an operator.

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The Board suggested the Chairman and Mr. Wood explore options for the home.

Adjournment

*Commissioner Myers made the motion to adjourn. Commissioner Davis seconded. **The Board voted 5-0.**

Cecil E. Wood, Clerk to Board/
County Manager